HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

Writ Appeal No.398 of 2007

Between:

M/s. Madina Dairy Farm,
A proprietary concern at
H.No.11-3-959/5, Old Mallepally,
Hyderabad, rep., by its Proprietor
Mohd. Haneef, S/o Mohd. Afzal, aged 32 years,
Occ: Business, r/o. H.No. 11-3-960/3,
Mallepally, Hyderabad

... Appellant

And

Greater Municipal Corporation of Hyderabad,
Rep., by its Special Officer, Lower Tank Bund Road,
Hyderabad (erstwhile Municipal Corporation of Hyderabad,
Rep., by its Commissioner) and another

... Respondents

::JUDGMENT::

Counsel for the appellant : Shri P. Venugopal for Shri Ali Farooq

June 4, 2007

Per G.S. Singhvi, CJ

This is an appeal for setting aside order dated 16-4-2007 vide which the learned Single Judge declined to quash notice dated 9-11-2006 issued by Veterinary Officer, Flying Squad, Lower Tank Bund

Road, Municipal Corporation of Hyderabad under Sections 115 (39), 407, 510, 511, 540, 622 (4), 623 and 629 of the Hyderabad Municipal Corporation Act, 1955 (for short, 'the Act').

After arguing the case for sometime, Shri P. Venugopal, learned counsel for the appellant made a request that his client may be permitted to withdraw this appeal along with Writ Petition No. 25803 of 2006 with liberty to pursue its cause with the authorities of the Municipal Corporation for grant of licence in terms of Section 623 of the Act.

The request of the learned counsel is accepted and this appeal and Writ Petition No. 25803 of 2006 are dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the appeal as withdrawn, WAMP No. 753 of 2007 filed by the appellant for interim relief is also dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

June 4, 2007

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